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Docket No. TIP-0040USNP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Dominique Surleraux et al.

Serial No. : 10/523445 Art Unit: 1614

Filed : January 31, 2005 Examiner:

For : BROADSPECTRUM 2-AMINO-BENZOTHIAZOLE SULFONAMIDE  
HIV PROTEASE INHIBITORS

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August 16, 2006

(Date of Deposit)

Alana G. Kriegsman  
(Name of applicant, assignee, or Registered Representative)

/Alana G. Kriegsman/

(Signature)

August 16, 2006

(Date of Signature)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with  the first or  second After Final Submission, therefore:

- Statement in Accordance with §1.97(e)  
(attached); or
- Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- Statement in Accordance with §1.97(e)  
(attached); or
- Please charge Deposit Account No. 10-  
0750/ / the fee of \$180.00 as set forth  
in §1.17(p).

In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee.

Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a) (2).

There are no listed references which are not in the English language.

The relevance of those listed references which are not in the English language is as follows:

Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/TIP-0040USNP/agk. This form is submitted in triplicate.

Respectfully submitted,

/Alana G. Kriegsman/

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Alana G. Kriegsman  
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DATED: August 16, 2006



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PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

Application Number	10/523445
Filing Date	01/31/2005
First Named Inventor	Dominique Surleraux
Group Art Unit	1614
Examiner Name	
Attorney Docket Number	TIP-0040USNP

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>				
		EP	0445926	B1	Milliken Research Corporation	08-21-1996		
		EP	0499299	B1	NanoSystems LLC	08-16-2000		
		EP	0721331	B1	AstraZenecaAB	12-05-2001		
		WO	94/05263	A1	Janssen Pharmaceutica N.V.	03-17-1994		
		WO	95/06030	A1	G.D. Seare & Co.	03-02-1995		
		WO	96/22287	A1	G.D. Seare & Co.	07-25-1996		
		WO	96/28418	A1	G.D. Seare & Co.	09-19-1996		

Examiner Signature	Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 2

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		Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>				
		WO	96/28463	A1	G.D. Searle & Co.	09-19-1996		
		WO	96/28464	A1	G.D. Searle & Co.	09-19-1996		
		WO	96/28465	A1	G.D. Searle & Co.	09-19-1996		
		WO	97/18205	A1	G.D. Searle & Co.	05-22-1997		
		WO	97/44014	A1	Janssen Pharmaceutica N.V.	11-27-1997		
		WO	98/42318	A1	Janssen Pharmaceutica N.V.	10-01-1998		
		WO	99/33792	A2	Vertex Pharmaceuticals Incorporated	07-08-1999		
		WO	99/33793	A2	Vertex Pharmaceuticals Incorporated	07-08-1999		
		WO	99/33795	A1	Vertex Pharmaceuticals Incorporated	07-08-1999		
		WO	99/33815	A1	Vertex Pharmaceuticals Incorporated	07-08-1999		
		WO	99/67254	A2	U.S.A., Dept. Of Health & Human Services & Board of Trustees of Univ. of Illinois	12-29-1999		
		WO	99/67417	A2	U.S.A., Dept. Of Health & Human Services	12-29-1999		
		WO	02/083657	A2	Tibotec Pharmaceuticals, Inc.	10-24-2002		

## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner's Initials <sup>*</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		BENET, L. et al., "Pharmacokinetics: The Dynamics of Drug Absorption, Distribution, and Elimination.", <u>Goodman and Gilman's The Pharmacological Basis of Therapeutics</u> , Eighth Edition, pages 13-20, McGraw-Hill Inc.	
		CROSS, et al., "Rules For The Nomenclature of Organic Chemistry, Section E: Stereochemistry." <u>Pure &amp; Applied Chemistry</u> , 1976, pages 13-30, Vol. 45., Pergamon Press, Great Britain.	
		HERTOGS, K. et al., "A Rapid Method for Simultaneous Detection of Phenotypic Resistance to Inhibitors of Protease and Reverse Transcriptase in Recombinant Human Immunodeficiency Virus Type 1 Isolates from Patients Treated with Antiretroviral Drugs.", <u>Antimicrobial Agents and Chemotherapy</u> , Feb. 1998, pages 269-276, Vol. 42, No. 2.	
		PAUWELS et al., "Rapid An Automated Tetrazolium-based Colorimetric Assay for the Detection of Anti-HIV Compounds.", <u>Journal of Virological Methods</u> , 1988, Vol. 20, pages 309-321.	

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SUBMISSION UNDER MPEP 609 D

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<i>Application Number</i>	10/523
<i>Filing Date</i>	01/31/2005
<i>First Named Inventor</i>	Dominique Surleraux
<i>Group Art Unit</i>	1614
<i>Examiner Name</i>	
<i>Attorney Docket Number</i>	TIP-0040USNP

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